

## REMARKS

With the entry of this Amendment, claims 1, 5 and 6 will be pending in this patent application.

### ALLOWABLE SUBJECT MATTER

Applicant notes with appreciation the Examiner's recognition of allowable subject matter in original claim 4. For reasons presented in this paper, Applicant submits that all of the pending claims 1, 5 and 6, as now presented, are allowable. In particular, as explained below, Applicant has obviated the rejections applied by the Examiner, has incorporated subject matter recognized as allowable by the Examiner into each of the independent claims 1, 5 and 6 and has canceled claims 2-4.

### SECTION 112, 2<sup>ND</sup> PARAGRAPH, REJECTION

Claims 1-6 were rejected under 35 USC § 112, second paragraph, as being indefinite. Applicant traverses this rejection insofar as it might be deemed applicable to claims 1, 5 and 6 as now presented.

In this paper, Applicant has carefully amended the claims to address and obviate the indefiniteness in the claims identified by the Examiner. In claim 1, for example, the second paragraph has been amended to recite "a judged value calculating means which calculates a judged value, on the basis of the rotational angular velocities, *for determining* whether an air-pressure of a tire has decreased" (emphasis added). The language in claims 5 and 6 has been similarly amended. Applicant submits that, with these changes, the passages in claims 1, 5 and 6 identified by the Examiner "make sense" and comply fully with the requirements of 35 USC § 112, second paragraph.

In this paper, Applicant has also amended each of claims 1, 5 and 6 to specify, in the first paragraph, a function of "(1) detecting decrease in tire air-pressure or (2) calculating a slip rate." Support for these amendments to the claims can be found in the specification as filed on page 1, lines 2-12. In addition, Applicant has canceled claims 2-4 and has added the subject matter of the

canceled claims to each of the independent claims 1, 5 and 6. In making these amendments, Applicant has taken care to ensure that antecedent bases for all of the recited claim elements are clear.

Applicant trusts that the Examiner will find each of claims 1, 5 and 6 to be in full compliance with the requirements of 35 USC § 112, second paragraph.

#### SECTION 101 REJECTION

Claim 6 was rejected under 35 USC § 101 as being drawn to non-statutory subject matter. Applicant traverses this rejection insofar as it might be deemed applicable to claim 6 as now presented.

The introductory language of claim 6 has been amended to recite "A computer-readable medium carrying a program."

Applicant submits that, as now presented, claim 6 fully complies with accepted practice for reciting a computer program and with the requirements of 35 USC § 101.

#### PRIOR ART REJECTION

Claims 1, 2, 3 and 5 were rejected under 35 USC § 103(a) as being unpatentable over US 2004/0217853 A1 (Dunbridge et al.) in view of US 5699251 (Mori et al.).

This rejection has been obviated by the cancellation of claims 2 and 3 and by the amendments to claims 1 and 5 described above.

#### OTHER PRIOR ART

Applicant has considered the other prior art cited by the Examiner. Applicant is not commenting on this prior art, because it was not applied against the claims in this application.

#### CONCLUSION


In view of the amendments, observations and arguments presented herein, Applicant respectfully requests that the Examiner reconsider and withdraw the rejections stated in the outstanding Office Action and recognize all of the pending claims as allowable.

If unresolved matters remain in this application, the Examiner is invited to contact Frederick R. Handren, Reg. No. 32,874, at the telephone number provided below, so that these matters can be resolved expeditiously.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

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Respectfully submitted,

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